

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

Case No. 4:19-cr-00212-JM-1

KESHAWN BOYKINS

DEFENDANT

ORDER DENYING MOTION FOR BOND/DETENTION HEARING

Pending is Defendant's Motion for Bond/Detention Hearing (Doc. No. 54). Defendant requests that the Court reconsider his release status "as the circumstances have changed since the last hearing," given the delay incurred by the substitution of counsel and the continuance of the trial date.

First, counsel filed her motion to withdraw on March 8, 2021, and new counsel was appointed the very next day on March 9, 2021. Thus, there was no extensive delay.

Second, the continuances of the trial date were at Defendant's behest for effective preparation of trial and inherent developments of any and all proper defenses which might be averred on his behalf.

Third, the Court granted Defendant pretrial release from May 15, 2019, until March 4, 2021, with only brief detention to facilitate his entry into an inpatient drug treatment facility. Rather than revoke Defendant's pretrial release on several occasions, the Court modified the conditions of release to allow Defendant the opportunity to succeed while on release. Notwithstanding that opportunity and due to Defendant's noncompliant history while under supervision, the Court ultimately detained him pending trial on March 4, 2021. At his bond revocation hearing, Defendant admitted some alleged violations in open court. Following the Court's finding by clear and convincing evidence of a violation and Defendant's unlikeliness to abide by any conditions of release under 18 U.S.C.

section 3148, the Court availed itself of the available sanctions and chose to revoke Defendant's release and order him detained. Defendant did not appeal that decision nor has he alleged the Court erred in any way—only that he was denied full consideration for continued release due to his previous counsel's failure "to call witnesses at the revocation matter which could have supported a release plan and would have influenced the court." However, no proposed release plan would have discounted the fact that Defendant violated the terms and conditions of release and his compliance was unlikely with further modification. As such, the Court determined revocation and detention were warranted.

For these reasons outlined, Defendant's Motion for Bond/Detention Hearing, Doc. No. 54, is DENIED.

IT IS SO ORDERED THIS 9th day of July, 2021.

A handwritten signature in black ink, consisting of a large, stylized 'O' followed by a series of loops and a long horizontal stroke extending to the right.

UNITED STATES MAGISTRATE JUDGE